

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 04-1361V

Filed: August 22, 2008

NOT TO BE PUBLISHED

SHARON SANCHEZ,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	Attorney's fees and costs
SECRETARY OF	)	
HEALTH AND HUMAN SERVICES,	)	
	)	
Respondent.	)	
	)	

### ATTORNEY'S FEES AND COSTS DECISION<sup>1</sup>

GOLKIEWICZ, Chief Special Master.

Petitioner filed Petitioner's Application for Fees and Costs (hereinafter P Fees Appl.) on July 11, 2008. See P. Fee Appl., filed July 11, 2008. On August 22, 2008, the parties contacted the undersigned's office via telephone. After discussions between the parties, petitioner's counsel agreed to reduce his request to a total of \$69,769.62 in attorney's fees and costs. Respondent's counsel indicated he had no objection to petitioner's reduced request for attorney's fees and costs.

After reviewing the request, the court finds an award in the amount of \$69,769.62 for attorney's fees and costs to be reasonable. Accordingly, pursuant to Vaccine Rule 13, petitioner is awarded a total of **\$69,769.62 in attorney's fees and costs**, of which, \$69,549.62 shall be

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<sup>1</sup>The undersigned intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire" decision will be available to the public. Id.

made payable jointly to petitioner and her attorney.<sup>2</sup> The remaining \$220.00 shall be made payable solely to petitioner.

The court thanks the parties for their cooperative efforts in resolving this matter. In the absence of a motion for review filed pursuant to RCFC, Appendix B, the Clerk is directed to enter judgment according to this decision.<sup>3</sup>

**IT IS SO ORDERED.**

s/ Gary J. Golkiewicz  
Gary J. Golkiewicz  
Chief Special Master

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<sup>2</sup>This amount is intended to cover all legal expenses. This award encompasses all charges by the attorney against a client, “advanced costs” as well as fees for legal services rendered. Furthermore, 42 U.S.C.A. §300aa-15(e)(3) prevents an attorney from charging or collecting fees (including costs) which would be in addition to the amount awarded herein. See generally, Beck v. Secretary of HHS, 924 F.2d 1029 (Fed. Cir. 1991).

<sup>3</sup>Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.